

Reissue Application No. 10/005,745
Attorney's Docket No.: 12361-014002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Applicant : X. Steve Yao Art Unit : 2873
Serial No.: 10/005,745 Examiner : Loha Ben
Filed : November 2, 2001
Title : PHOTONIC VARIABLE DELAY DEVICES BASED ON OPTICAL
BIREFRINGENCE (AS AMENDED)

REISSUE APPLICATION OF ORIGINAL PATENT NO. 5,978,125
PATENT GRANT DATE: 11/2/1999

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL DECLARATION UNDER 37 CFR 1.175

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as
stated below next to my name.

I believe I am the original, first and sole inventor of the
subject matter which is described and claimed in

U.S. Patent No. 5,978,125

Title: COMPACT PROGRAMMABLE PHOTONIC VARIABLE DELAY DEVICES

Issue Date: November 2, 1999

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is
being transmitted by facsimile to the Patent
and Trademark Office on the date indicated
below.

November 25, 2003
Date of Transmission
Signature *R. P. Ippolito*
Name of Person Signing Certificate *Roxanne Ippolito*

Attorney's Docket No.: 12361-014002

SUPPLEMENTAL DECLARATION UNDER 37 CFR 1.175
Page 2 of 3 Pages

which was granted from a U.S. Application No. 08/564,920 filed November 30, 1995, and for which a reissue patent is sought on the invention entitled PHOTONIC VARIABLE DELAY DEVICES BASED ON OPTICAL BIREFRINGENCE (as amended on February 12, 2003), the specification of which was filed on November 2, 2001 as Application Serial No. 10/005,745 and was amended by:

1. An amendment filed on December 12, 2002 in response to an Office Action dated November 7, 2002;
2. A Supplemental Amendment filed on February 12, 2003; and
3. A Second Supplemental Amendment filed on April 22, 2003.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I verily believe the original patent to be wholly or partly inoperative, for the reasons of the patentee claiming more or less than he had the right to claim in the patent. At least one error which is relied upon to support this reissue application is described in the original Combined Declaration and Power of Attorney filed on November 2, 2001.

Attorney's Docket No.: 12361-014002

SUPPLEMENTAL DECLARATION UNDER 37 CFR 1.175
Page 3 of 3 Pages


I certify that all errors which are being corrected in this reissue application up to the time of filing this declaration arose without any deceptive intention on my part. I also certify that every error in the patent which was corrected in the present reissue application, and is not covered by the prior Combined Declaration and Power of Attorney filed on November 2, 2001, arose without any deceptive intention on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full Name of Inventor: X. Steve Yao

Inventor's Signature:

Residence
Address:
Citizenship:
Post Office
Address:


23324 Ridge Line Rd
Diamond Bar, CA 91765
United States
23324 Ridge Line Rd
Diamond Bar, CA 91765

Date: 11/13/03

10344626.doc